

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PAMELA GLOVER and CHARLES ELLIS,
individually, and on behalf of all others
similarly situated,

Plaintiffs,

vs.

WOODBOLT DISTRIBUTION, LTD.,
a Texas limited liability company; and DOES
1-50, inclusive,

Defendants.

Civil Action No. 4:12-cv-02191

**[PROPOSED] ORDER GRANTING
ATTORNEYS' FEES, COSTS, AND
INCENTIVE AWARDS**

Hearing

Date: April 24, 2013

Time: 10:00 a.m.

Order

Pending before the Court is the Motion for Attorneys' Fees, Costs And Incentive Award filed by plaintiffs Pamela Glover and Charles Ellis ("Plaintiffs"). Defendant Woodbolt Distribution, LLC ("Woodbolt") does not oppose Plaintiffs' Motion. The Court, having considered the Motion and applicable law, hereby **GRANTS** Plaintiffs' Motion and finds as follows:

1. The Court finds and determines that reasonable attorneys' fees and costs in the amount of \$112,500.00 shall be awarded out of the common fund to Wasserman, Comden, Casselman &

Esensten, L.L.P. ("WCCE") for the work performed on behalf of the Class as Class Counsel. Specifically, the Court finds that WCCE's lodestar figures, including its hours and hourly rates, are reasonable and were reasonably incurred in the prosecution of this action. The \$112,500 attorneys' fees and costs award is further reasonable in that it amounts to 0.03% of the potential settlement value and 28% of the \$400,000 common fund and thus falls within the range of reasonableness that exists in this Circuit. Furthermore, Plaintiffs' requested attorneys' fees and costs award is reasonable in light of the *Johnson* factors in light of the time and labor expended by Class Counsel, the preclusion of other employment as a result thereof, the novelty and difficulty of the legal and factual issues involved in this litigation, the skill level performed by Class Counsel, the results obtained in the Settlement Agreement, WCCE's extensive class action experience, and awards in similar cases.

2. The Court finds and determines that incentive award payments in the amount of \$5,000 each shall be awarded out of the common fund to Plaintiffs Pamela Glover and Charles Ellis as compensation for the work performed on behalf of the Class as Class Representatives.

IT IS SO ORDERED.

DATED: 4/24, 2013



Honorable Gary H. Miller
United States District Court Judge